

THE DAILY NEWS

The Official Organ of the City.

TUESDAY, MARCH 21, 1876.

JOHN D. CAMERON, Editor.

THE RALEIGH NEWS.

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No. 5, Martin Street.

TERMS:

ADVERTISING RATES.—Per square (ten

lines, Nonpareil) first insertion \$1.00;

each subsequent insertion 50 cents. No

advertisement inserted for less than \$1.00.

Contracts for advertisements of any space

or time can be made at the News count-

ing-rooms.

CONTRACTORS will positively not be

allowed to exceed their space, or advertise

other than their legitimate business,

except by paying specially for the same.

SUBSCRIPTION RATES.—Daily, one

month, \$5.00; six months, \$30.00; three

months, \$2.00. Weekly one year, \$1.00;

six months, 75 cents. Invariably in ad-

vance.

THE DAILY NEWS is the largest daily

newspaper in the State—the only paper

in Raleigh that receives the Telegraphic

Reports, and the leading advertising me-

dium in North Carolina.

THE WEEKLY NEWS is the cheapest

paper published in North Carolina. It

contains 40 columns of plain printed news

from every section of the country, and is

edited with special reference to the far-

mer and industrial classes of the country.

CIRCULATION.

THE DAILY NEWS has the largest daily

circulation in the State, and over double

the circulation of any other daily in Ra-

leigh.

The combined circulation of the Daily

and Weekly News is nearly 5,000, and

reaches more readers than any other pa-

per in North Carolina.

NOTICE TO CORRESPONDENTS.

We cannot notice anonymous communica-

tions. In all cases we require the

writer's name and address, not for publi-

cation, but a guarantee of good faith.

We cannot, under any circumstances,

return rejected communications, nor can

we undertake to preserve manuscripts.

On which side does Turner stand?

Is he "with us," or is he against us?

We mean "is he for Joe Turner, or

is he with the Democratic party?"

Let his acts—his attacks upon the

Democratic Legislature, and his de-

fence of flowerian answer.

IMMIGRATION.

We publish on our first page a

letter from Mr. Daniel Reagan

which appears in the *Catholic*

Union of Buffalo, N. Y. In the light

of such letters, party politics ought

to sink into comparative insignifi-

cance, because through the former

the material interests of the State

are brought forward into such prom-

inence as to make abstract questions

trivial in comparison. Whatever

tends to bring North Carolina into

notice abroad, whatever instrumen-

tal is used to tear aside the veil

that conceals her capacities, is to be

held of more consequence than the

temporary quarrels of party contest-

ants. For the permanent good of

the State, both parties may be ex-

pected to work together. In the

past, the dominant Republican party

legislated for personal aims—

Possibly that principle has been ex-

tinguished. It is certain that pub-

lic opinion makes such legislation

in the future impossible. And both

parties may be expected in the fu-

ture to work together to encourage

that spirit of immigration which

speaks so clamorously. Only let

the world know what are the cap-

acities of the State, and then we

will hardly have land enough and

room enough for all who will seek to

come in.

WHAT DO THEY MEAN?

In Mississippi the impeachment

of the Lieut-Governor has just been

concluded with a verdict of guilty.

In South Carolina a judge—Moses

—is under impeachment for a dirty

case of corruption. In Washing-

ton a cabinet officer is about to be

put on his trial before the High

Court of the nation. In North Car-

olina, impeachment tumbled from

his eminence the Governor of the

State down to a miserable subordi-

nate. What does all this mean?

They are all Republicans—Radicals

if you choose to call them, and they

furnish the few examples that the

history of the country can give of a

resort to so solemn a tribunal to pun-

ish official guilt. Malfassance in

office, abuse of trust, moral corrup-

tion, these seem to be the attributes

of the Radical party. These are

the salient points of attack, not for

partisan malice, but for that aroused

moral sense, and that instinct of

political self preservation which, if

for awhile dormant, is never altoget-

her dead.

The Democratic party must be

the savior of the country; whether

it acts simply from a motive of sel-

fishness to get into the power the

Republicans now have does, not af-

fect the efficiency of their purpose.

They act on principles and for pur-

poses that the common sense of

man kind will commend. And let

the Republican party lay it to heart,

that the unchecked license of the

last ten years is being brought to a

halt, and that tremendous as is the

remedy, high courts of impeachment

will be and must be the final resort

to bring to answer men who are in-

sensible to every other appeal.

THE SWEPSON CASE.

In the re-publication of the re-

marks of Mr. Strong we were lim-

ited to the use of a very brief ab-

stract which we found in another

paper. Our reporter was compelled

to leave the Court House before the

arguments were concluded. Hence

in our enforced reliance upon other

authority we use the report as pub-

lished in the *Sentinel*. We re-publish

at a late day, but truth and princi-

ple presented with sturdy front, are

never too late to make their impres-

sion. Those who have been so for-

tunate as to hear George Strong and

Judge Fowle on questions of con-

stitutional rights need have no fear

that the principles of liberty will be

lost to North Carolina. Strong in

the Swebson case, Fowle in the Shot-

well case, have made indelible

marks. Liberty is safe in the hands

of these able defenders.

HABEAS CORPUS FOR SWEPSON.

This case was made returnable be-

fore Judge Settle on Saturday, Feb.

20, in the Court House at Raleigh.

For the State appeared Messrs.

Strong, Smith and Smedes. For the

prisoner, Ruffin, Fuller, Ashe, Ba-

son and Boyd. We have not space

for the evidence. In addition to the

testimony of the committing magis-

trates, Dr. Holt and Mrs. Cook were

examined. The doctor proved

treats in 1874 and a demonstration

on the part of A. G. Moore to shoot

him, the witness under apprehen-

sion he was Swebson.

Mrs. Cook proved that Moore walked

around the house of the prisoner

in a violent manner; that Swebson

went out on the platform and

asked what he wanted. Moore said,

"to fight him," with an oath. Sweb-

son said he wanted no fight with

him, and told him to get off. Before

fringe he, Swebson, asked Moore

if he was ready, and jumped back

into the door; went to the win-

dow and shot through the lattice

between the blinds of the window,

the blinds being closed. Missed the

first fire, and made the second as

he could spring the gun and present

it in a violent manner. He

Mr. Strong moved his Honor the

sheriff of Alamance be instructed

to state in his return to the writ

of habeas corpus, that at the time

of the shooting the prisoner was

in the hands of the sheriff of Ala-

mance, superior court to answer

to a bill of indictment for murder.

The court asked the purpose of

such a motion.

Mr. Strong answered, that he de-

sired to move that the prisoner be

remanded to the Court of that coun-

ty now in session. This he thought

due to the dignity of the judiciary

of the State which he had always

sought to protect and defend. He

said it would afford opportunities for

facile and plausible judges to inter-

fere to protect their favorite friends

from the just vengeance of outraged

law. Under such practice a judge in

Cherokee or Pasquotank, after days

has been spent in taking testimony

and hearing argument from counsel

and even after the charge of the

judge and while the jury were out

considering their verdict, the priso-

ner could by habeas corpus be spir-

ited away and thus prevent the jury

from returning their verdict or the

Court from taking final action in

the case. What he asked, could

be better calculated to bring Courts

and justice into contempt?

The judge said the result of the

motion might be to go to jail.

Mr. Strong objected, that after a

bill found for murder, the Court

should not even hear the evidence

but remand the prisoner; and in sup-

port of this view he spoke with a

convincing force upon all his hear-

ers except the judge, the prisoner and

counsel. He read from leading

criminal cases vol. 1 page 256, ex-

parte Barthelemy. Lord Campbell,

Chief Justice said "after a true bill

for murder has been found by the

grand jury it is quite plain we ought

not admit to bail. It would be con-

trary to all the principles upon which

this Court has uniformly acted if we

should grant a habeas corpus. Again

he read from English common law

reports, 8 Carrington and Payne,

page 258, Regina against Chapman.

Indictment to murder. Counsel for

the prisoner desired that he might

be admitted to bail, offering bail to

any amount. Lord Abinger, Chief

Justice, said: "In a case of murder

I cannot do it after a bill for murder

has been returned by the grand jury

if a motion to put off the trial had

it might have been difficult, but

after a bill is found for murder, I

know of no case in which it was

ever done." Counsel for the prisoner

said "it is entirely in your lordship's

discretion."

Lord Abinger: "But it is a discre-

tion which never has been exer-

cised."

Again he read from the same re-

ports, Regina against Guttridge, page

258, Indictment for rape. Applica-

tion for bail, Paterson, Justice:

"In cases of this serious nature where

the grand jury have returned a bill

it cannot allow the prisoner to be

admitted to bail." He read from

Wharton on Criminal Law, section

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